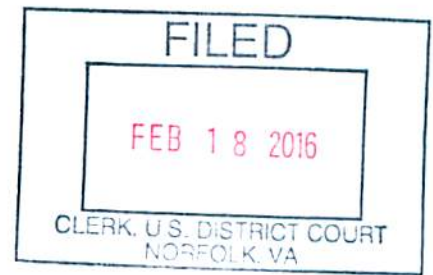


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



HEATHER LUNDIE,

Plaintiff,

v.

Case No. 2:15cv291

SMITH & COHEN, LLC,

Defendant

FINAL ORDER

This matter comes before the court on plaintiff's Motion for Default Judgment (ECF No. 9) filed on December 18, 2015. The matter was referred to a United States Magistrate Judge by Order of January 5, 2016 (ECF No. 10), pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Federal Rule of Civil Procedure 72(b), to conduct hearings, including evidentiary hearings, if necessary, and to submit to the undersigned proposed findings of fact, if applicable, and recommendations for the disposition of the matter.

Since there was no response from the defendants to the Motion for Default Judgment, no hearing was held on the matter. The United States Magistrate Judge's Report and Recommendation (ECF No. 11) was filed on January 26, 2016. The magistrate judge recommended granting plaintiff's Motion for Default Judgment and awarding \$10,829.00 in damages and costs to the plaintiff.

By copy of the report and recommendation of the magistrate judge, the parties were advised of their right to file written objections


thereto. The court has received no objections to the magistrate judge's report and recommendation, and the time for filing same has expired. The court does hereby adopt and approve in full the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed January 26, 2016. Accordingly, the plaintiff's Motion for Default Judgment is **GRANTED** for her claims under the FDCPA and TCPA and she is **AWARDED**:

- (1) actual damages of \$2,000.00 under the FDCPA;
- (2) statutory damages of \$1,000.00 under the FDCPA;
- (3) \$2,785.00 in attorney's fees, \$400.00 for the filing fee, and \$144.00 for service fees under the FDCPA; and
- (4) statutory damages of \$4,500.00 under the TCPA.

The Clerk shall so enter judgment for the plaintiff and against the defendants.

The Clerk shall forward a copy of this Order to all parties of record.

It is so ORDERED.

/s/
Rebecca Beach Smith
Chief Judge


REBECCA BEACH SMITH
CHIEF JUDGE

February 18, 2016